

hereafter prescribed, may enter upon and use, and ex-
 cavate, any land which may be wanted for the site of
 said road, or the erection of warehouses, or other works,
 necessary to said road, or for any other purpose neces-
 sary or useful in the construction or repairs of said road,
 or its works, and that they may build bridges, may fix
 scales and weights, may lay rails, may take and use any
 earth, timber, gravel, stone or other materials, which
 may be wanted for the construction or repair of any part
 of said road, or any of its works, and may make and
 construct all works whatsoever, which may be neces-
 sary and expedient in order to the proper completion
 of said road; *Provided, nevertheless*, that before the
 company hereby incorporated, forms a junction of its
 track or tracks, with the track or tracks of the Baltimore
 and Susquehanna rail road company, or any of its
 branches, now existing, or hereafter to exist, they shall
 obtain the assent of the president and directors of the
 Baltimore and Susquehanna rail road company, or a
 majority of them, to make such junction, and in like
 manner it is further provided, that each of said compa-
 nies shall have power to make contracts for the passage
 over the road or roads of the other, of their engines and
 cars at such rates as they shall agree on, and all such
 contracts and agreements shall be executed under the
 respective corporate seals of said rail road companies,
 and all powers heretofore granted to the Baltimore and
 Susquehanna rail road company, for the construction of
 a lateral rail road to Westminster, shall be, and they are
 hereby declared to be in full power, so far as is neces-
 sary to carry out the provisions of this act; *And Pro-
 vided further*, that the said Baltimore and Susquehanna
 rail road company, is hereby authorised to transfer any of
 its branches or lateral roads, or sidelings now existing,
 or hereafter to exist, to the said Baltimore, Carroll
 and Frederick rail road company, upon such terms as
 may be settled between them, the said Baltimore, Car-
 roll and Frederick rail road company, in such event to
 possess all the powers in regard to altering the location
 of said branches, or lateral roads, which have heretofore
 been conferred upon the said Baltimore and Susque-
 hanna rail road company; *And provided further*, that
 nothing herein contained, shall be so construed, as to
 authorise the said company to take or use private pro-
 perty for the purposes of said company, without just
 compensation as agreed upon between the company
 and the owners of such property, or awarded by a jury,
 being first paid or tendered to the party or parties enti-
 tled to such compensation; *Provided*, that no timber
 of any kind shall be cut on any land, other than the